

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

TYCO FIRE PRODUCTS LP,

Plaintiff,

v.

AIU INSURANCE COMPANY, *et al.*

Defendants.

Civil Action No. 2:23-cv-02384-RMG

Hon. Richard M. Gergel

**PLAINTIFF’S NOTICE OF MOTION FOR PARTIAL SUMMARY JUDGMENT
AGAINST AIG ON DEDUCTIBLES AND RETENTIONS**

Pursuant to Federal Rule of Civil Procedure 56, Tyco Fire Products LP (“Tyco”) respectfully files this Motion for Partial Summary Judgment against Defendants National Union Fire Insurance Company of Pittsburgh, Pa., American Home Assurance Company, and New Hampshire Insurance Company (collectively, “AIG”) on Deductibles and Retentions (“Motion”) which seeks partial summary judgment that (1) Deductible payments made by Tyco reduce the applicable limits of liability of the Primary Policies which contain deductibles; (2) certain Self-Insured Retentions (“SIRs”) in Pollution Exclusion Endorsements in certain Umbrella Policies do not apply to the AFFF Claims; (3) the Retained Limit Amendment Endorsements in certain Umbrella Policies have no force or effect; and (4) the Retained Limit Amendatory Endorsements in certain Umbrella Policies can be satisfied by underlying or other insurance. The bases for relief are set forth in the accompanying Memorandum of Law.

Dated: March 18, 2024

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